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10/542,826	07/20/2005	Attilio Luigi Moriggi	3388	8379

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EXAMINER
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WHITE, RODNEY BARNETT

ART UNIT	PAPER NUMBER
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3636

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/542,826	Applicant(s) MORIGGI, ATTILLO LUIGI	
	Examiner Rodney B. White	Art Unit 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**\*Please note, the line numbers used in this rejection are not the same as those as numbered by the Applicant. The very first line of Claim 1 is line 1.**

In Claim 1, line 2, the language "in general" and especially in motor vehicles" is unclear and confusing language. On line 5, "the first end" lacks antecedent basis. On line 7, "the ends" lack antecedent basis. On lines 5-7, the phrases "to one or other end" and "to one or other of the ends" is unclear and confusing language. On lines 6-7, "whose first end" lacks antecedent basis. Applicant needs to define that the sheath has two ends or first and second ends. Currently, "whose first ends" is inferentially claiming the "ends" On line 9, "the second end" lacks antecedent basis. On line 9, "the fixed structures" lack antecedent basis. Applicant needs to define that the sheath(s) and the cable(s) have a first and second end or two ends.

In Claim 2, line 6, the phrase "transferable from an idle position" is unclear and confusing.

In claim 3, line 2, "the top of which" lacks antecedent basis. On line 8, "the ends of said diametral arms" lack antecedent basis. On line 10, "the bottom of said groove"" lack antecedent basis.

In claim 4, lines 3-4, not only does "one or other of the pairs of transversal grooves" lack antecedent basis because again the pairs are inferentially claimed without ever defining them previously, "the transversal grooves" lacks antecedent basis as well. In claim 3, Applicant claimed or defined "helical grooves" but no "transversal grooves".

In claim 7, line 2, "the sides" lack antecedent basis.

In claim 8, line 2, "the first end" lacks antecedent basis.

In claim 9, line 4, "fiolded" is unclear and confusing language. Should "fiolded" have been - - folded - - instead?

In claim 10, line 2, "the first end" lacks antecedent basis.

In claim 11, line 3, should "round" be - - around - - instead? On line 3, "the grooved sleeve" and "the knob" both lack antecedent basis. In the preliminary amendment, Applicant changed the dependency of claim 11 from "claims 1-5" to "claim 1". Neither a "grooved sleeve" nor a "knob" were claimed in claim 1. On line 4 "should "which" have been - - which - - instead? On line 4, "the vertex" lacks antecedent basis. On line 8, "the head" lacks antecedent basis. On line 11, should "mouinted" have been - - mounted - - instead? On line 12, "the tubular body" lacks antecedent basis. Again the dependency of the claim was changed from "claims 1-5" to "claim 1". The tubular body was claimed in claimed in claim 2. On line 15, "the grooved sleeve" lacks antecedent basis.

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In claim 12, line 2, "the frames" lacks antecedent basis. Applicant only claims a "frame" in claim 1. On lines 2-3, "the fixed structure" and "the whole seat" lack antecedent basis.

In claim 13, line 2, "the frames" lacks antecedent basis. Applicant only claims a "frame" in claim 1. On lines 2-3, "the whole seat" and "the fixed structure" lack antecedent basis. On lines 4-5, not only is the phrase "to embrace the entire perimeter of said components" unclear and confusing language, "the entire perimeter of said components" lacks antecedent basis.

Finally, Applicant needs to remove the "characterized in that" language from all of the claims. It is not proper claim language.

The aforementioned problems render the claims vague and indefinite. Clarification and/or correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

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by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Schuster et al (U.S. Patent No. 5,050,930).

Schuster et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned

plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components (See specification and Figures 1-2).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Coughlin (U.S. Patent No. 5,197,780).

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Coughlin teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath,



the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-6).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Harrison et al (U.S. Patent No. 5,217,278).

Harrison et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath

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is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-3).

Claims 1-2, 7-8, 10, and 12-13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Hay et al (U.S. Patent No. 5,449,219).

Hay et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath,

the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, the frames are joined to the fixed structure of the whole seat by helical springs, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-2 and 4-5).

Claims 1-2, 7-8, 10, and 12-13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Maeyaert (U.S. Patent No. 5,474,358).

Maeyaert teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to

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the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, the frames are joined to the fixed structure of the whole seat by helical springs, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-2).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Ligon, Jr. et al (U.S. Patent No. 5,609,394).

Ligon, Jr. et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate

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so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-5).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Klingler (U.S. Patent No. 5,704,687).

Klingler teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other,

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adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-4).



Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Schuster, Sr. et al. et al (U.S. Patent No. 6,079,783).

Schuster, Sr. et al et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the

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frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-2).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Gowing (U.S. Patent No. 6,338,530 B1).

Gowing teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which

devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-7).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Gabas et al (U.S. Patent No. 6,357,826 B1).

Gabas et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the

frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-10).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Blendea et al (U.S. Patent No. 6,631,951 B1).

Blendea et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which

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devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-12).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Klingler (U.S. Patent No. 6,682,144 B2).

Klingler teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the

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frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-9).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Dosen et al (U.S. Patent No. 6,779,844 B2).

Dosen et al teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which



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devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-3).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Blendea (U.S. Patent No. 6,908,153 B2).

Blendea teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the

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frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 1-7).

Claims 1-2, 7-8, 10, and 13, so far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Frank (U.S. Patent No. 7,083,232 B2).

Frank teaches a structure for anatomical support in the back, headrest and seat components of seating in general, especially in motor vehicles, characterized in that the structure comprises a frame, a convex cushioned plate fitted with means that slide in relation to the frame, and with push-pull cables, the first end of which is fixed to one or other end of the cushioned plate, freely sliding inside a sheath whose first end is fixed to the frame or to one or other of the ends of the cushioned plate, while the second end of said push-pull cable and of said sheath is fixed to control devices mounted on the fixed structures of said components of the seating, which

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devices determine, by moving the push-pull cable in one direction or the other, adjustment of the position of the cushioned plate if the first end of the sheath is fixed to the frame, or adjustment of convexity of the cushioned plate if the first end of the sheath is fixed to said plate the two ends of the sheath are respectively fixed to the cushioned plate, to the frame and to the control devices by means of an anchoring device comprising a tubular body with a partially elastic end into which the end of the sheath can be pressed, and a safety ring transferable from an idle position to the area of the tubular body into which the end of the sheath has been pressed to hold it stable, at the sides of the seating components consisting of the back, headrest and seat, are two control devices for respectively adjusting the position or convexity of the cushioned plate in each of said components, the first end of the sheath is fixed to one end of the frame while a first end of the pull-push cable is fixed to one end of the cushioned plate so that, using the control devices, to which the second ends of the push-pull cable and of the sheath are fixed, to make the push-pull cable translate in relation to the sheath, the position of said cushioned plate can be adjusted in relation to the frame, a first end of the sheath is fixed to the frame while the first end of the push-pull cable is fixed to the free end of said cushioned plate, so that causing, by means of the control devices to which the second ends of the push-pull cable and of the sheath are fixed, translation of the push-pull cable in relation to the sheath, convexity of said cushioned plate can be adjusted, for both the back and the seat composing the whole seat, the fixed structure consists of a metal band placed crosswise and shaped so as substantially to embrace the entire perimeter of said components. (See specification and Figures 3-6).

Claims 3-6, 9, 11, and 14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Von Miller, Benson, McMillen, and Cruz Fernandes de Pinho et al teach structures and concepts similar to the present invention.

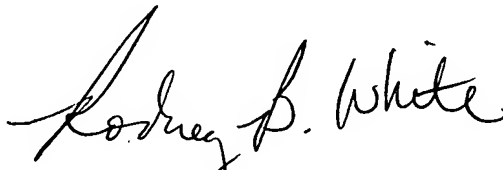
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on (571) 272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Rodney B. White,  
Patent Examiner  
Art Unit 3636  
April 8, 2007

A handwritten signature in black ink that reads "Rodney B. White". The signature is written in a cursive, flowing style.

RODNEY B. WHITE  
PRIMARY EXAMINER